

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)	EB Docket No. 10-247
)	
SHENZHEN TANGREAT TECHNOLOGY)	File No. EB-10-SE-164
CO., LTD.)	FRN: 0019109180
)	
Grantee of Equipment Authorization,)	
FCC ID No. XRLTG-VIPJAMM)	

FILED/ACCEPTED

APR - 5 2011

Federal Communications Commission
Office of the Secretary

To: Office of the Secretary

Attn: Chief Administrative Law Judge
Richard L. Sippel

**ENFORCEMENT BUREAU'S
REQUEST FOR TERMINATION OF HEARING**

1. The Chief, Enforcement Bureau, by her attorneys, hereby requests that the Presiding Judge terminate the above-captioned hearing proceeding and certify the case to the Commission. In support thereof, the following is shown.

2. The instant hearing proceeding commenced on February 9, 2011, with the release of an Order to Show Cause and Notice of Opportunity for Hearing.¹ Paragraph 21 of the OSC directed Shenzhen Tangreat Technology Co., Ltd. ("Shenzhen"), pursuant to Section 1.91 of the Commission's Rules, to file a written appearance in this proceeding stating its intention to appear and present evidence on the issues specified therein within 30 days of release of the OSC. The OSC, at paragraph 22, further stated that, pursuant to Section 1.92 of the Commission's Rules, if Shenzhen failed to file a written appearance within 30 days of release of the OSC or a request to

¹ See *Shenzhen Tangreat Technology Co., Ltd.*, Order to Show Cause and Notice of Opportunity for Hearing, DA 11-246 (EB, rel. February 9, 2011) ("OSC").

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accept a late-filed appearance, its right to a hearing would be deemed waived. In the event of such waiver, the OCS, at paragraph 22, directed the Presiding Judge to issue an order at the earliest practical date reciting the events or circumstances constituting the waiver, terminating the hearing proceeding and certifying the case to the Commission.

3. As the OSC directed at paragraph 25, copies of the OSC were promptly sent to Shenzhen by first class international mail, overnight delivery, facsimile, and e-mail. Copies were transmitted to Shenzhen via these multiple methods to ensure that Shenzhen, a China-based company, would receive actual notice of the OSC. In addition, the OSC was published in its entirety in the Federal Register to provide Shenzhen with constructive notice. *See* 76 Fed. Reg. 12,733 (March 8, 2011).

4. On March 29, 2011, the Bureau received a proof of delivery, a copy of which is attached, from United Parcel Service, the company that was used for overnight delivery of the OSC to Shenzhen. The receipt confirms that the OSC was delivered to Shenzhen on February 14, 2011.


5. To date, the Bureau has not received service of a copy of Shenzhen's notice of appearance or a request by Shenzhen to accept a late-filed appearance. Moreover, an examination of the public docket in this proceeding does not reveal that Shenzhen has submitted any written communications to the Commission relating to this proceeding. Given that the OSC was released on February 9, 2011, and Shenzhen had 30 days within which to submit an appearance, Shenzhen's deadline for submitting a timely appearance would have lapsed after March 11, 2011. Furthermore, given the multiple means by which the OSC was transmitted to

Shenzhen, publication of the OSC in the Federal Register, and confirmation of delivery of the OSC to Shenzhen, it is plain that Shenzhen has received actual and constructive notice of the OSC. Under the circumstances, the Bureau submits that Shenzhen should be deemed to have waived its right to a hearing in this proceeding.

6. Accordingly, pursuant to paragraph 22 of the OSC and Section 1.92 of the Commission's Rules, the Bureau respectfully requests the Presiding Judge to issue an order reciting the events or circumstances constituting Shenzhen's waiver of its right to a hearing, terminating the instant hearing proceeding, and certifying the case to the Commission for disposition.

Respectfully submitted,
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March 25, 2011



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CERTIFICATE OF SERVICE

I, David Bradford, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, hereby certify that on this 4th of April 2011, true and correct copies of the foregoing Enforcement Bureau's Request for Termination of Hearing were sent to the following via international mail, overnight delivery, facsimile, and email:

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and via email and hand delivery to:

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David Bradford